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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/684,947	10/06/2000	Stephen R. Lawrence	11379A	2915

23389 7590 08/27/2003

SCULLY SCOTT MURPHY & PRESSER, PC  
400 GARDEN CITY PLAZA  
GARDEN CITY, NY 11530

EXAMINER

COLBERT, ELLA

ART UNIT	PAPER NUMBER
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3624

DATE MAILED: 08/27/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Advisory Action**

Application No.

09/684,947

Applicant(s)

LAWRENCE ET AL.

Examiner

Ella Colbert

Art Unit

3624

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 18 August 2003 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

**PERIOD FOR REPLY** [check either a) or b)]

- a) ☐ The period for reply expires \_\_\_\_\_ months from the mailing date of the final rejection.
- b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.
- ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on \_\_\_\_\_. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☐ The proposed amendment(s) will not be entered because:
- (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);
- (b) ☐ they raise the issue of new matter (see Note below);
- (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
- (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: \_\_\_\_\_

3. ☐ Applicant's reply has overcome the following rejection(s): \_\_\_\_\_.
4. ☐ Newly proposed or amended claim(s) \_\_\_\_\_ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☐ The a) ☒ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☐ For purposes of Appeal, the proposed amendment(s) a) ☐ will not be entered or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: \_\_\_\_\_.

Claim(s) objected to: \_\_\_\_\_.

Claim(s) rejected: 74 and 79.

Claim(s) withdrawn from consideration: \_\_\_\_\_.

8. ☐ The proposed drawing correction filed on \_\_\_\_\_ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). \_\_\_\_\_.
10. ☐ Other: \_\_\_\_\_

DR. GEOFFREY R. AKERS, P.E.  
PATENT EXAMINER

Continuation of 5. does NOT place the application in condition for allowance because: Applicants' argument was convincing in reference to the Amendment Objection to claim 79 and is hereby withdrawn. Applicants' arguments regarding the 35 U.S.C. 102(e) rejection of claims 74 and 79 have been considered but are not persuasive. Applicants' argue: Redfern fails to disclose estimating the relative coverage of the plurality of third-party search engines by comparing an overlap number of pages in the filtered full list of results corresponding to each of the first and the second third-party engines to an overlap number of pages in the filtered full list of results corresponding to each of the plurality of third-party engines has been considered but is not persuasive because the Examiner interprets the estimating of the relative coverage of the plurality of third-party search engines by comparing an overlap number of pages in the filtered full list of results corresponding to each of the first and the second third-party engines to an overlap number of pages in the filtered full list of results corresponding to each of the plurality of third-party engines to be taught by Redfern in col. 33, lines 3-65 (shows comparing the pages from three different websites) and col. 34, lines 15-35 (shows a list from Alta Vista and Excite search engines). Applicants' are respectfully requested to clarify in the claim language the overlap feature depicted in figure 31. Applicants' argue: Redfern does not disclose the steps of determining a first value, determining a second value and determining an estimate, as particularly recited in claim 79 and described herein above in detail relative to the objection pursuant to 35 U.S.C. 132 and Redfern does not determine an estimate of relative coverage and further does not perform the computations recited in Claim 79 has been considered but is not persuasive because this argument was addressed above. Applicants' are respectfully requested to clarify the claim language of claims 74 and 79 to more distinctly claim the features which Applicants' regard as their invention. The application has not been placed in condition for allowance nor have matters been simplified for appeal in this communication.